IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Civil Contempt Petition No. 267 of 2006

Roop Kishore Awasti S/o Sri Gangadhar Awasthi
R/o House No. 128/ 222 Block H- 1
Kidwai Nagar
District Kanpur Nagar, Kanpur .....Petitioner

Vs

Sri S.K. Maheshwari, Director
School Education Uttaranchal
Dehradun .....Respondent/
Conemnor

Sri S.S. Yadav, learned counsel for the petitioner

Hon'ble B.C. Kandpal, J.

By means of the contempt petition, the petitioner has sought the relief that the respondent be punished for committing gross contempt of the order dated 01.03.2006 passed by learned Single Judge of this Court in Writ Petition No. 748 (S/S) of 2005 Roop Kishore Vs State of Uttaranchal & others.

2. Heard Sri S.S. Yadav, learned counsel for the petitioner and peruse the record.

3. Learned Single Judge of this Court vide Judgment and order dated 01.03.2006 issued direction to the respondent which reads as under:-

> *"I have considered the respective submissions made by the learned counsel for both the parties. I am of the opinion that the ends of justice would meet if the respondents reconsider the case of the petitioner sympathetically and give him joining, on a post of Lecturer*

in Government Intermediate College, Dhandha Suwagar, District Tehri Garhwal or any other place."

4. The record further reveals that in compliance of the aforesaid direction issued by this Court, the petitioner was afforded an opportunity to present his case, he was accordingly heard and the documents pertaining to his case were looked into and considered by the respondent. The respondent, thereafter considering the case of the petitioner rejected his representation vide order dated 23.05.2006.

5. The rejection order of the petitioner's representation is contained as annexure – 14 to this contempt petition and it indicates that the respondent has considered the case of the petitioner at length and thereafter the respondent came to the conclusion that the representation of the petitioner was not liable to be accepted.

6. It is therefore quite clear that the respondent has complied the direction issued by this Court vide judgment and order dated 01.03.2006 and in view of the aforesaid circumstance, I do not find any ground to indulge the powers of this Court under the Contempt of Court Act.

7. The petition lacks merit and is liable to be dismissed in-limine.

8. Accordingly, the contempt petition is dismissed.

(B.C. Kandpal, J.)

05.09.2006
ASWAL